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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE  
LABORERS HEALTH AND WELFARE  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS VACATION-HOLIDAY  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS PENSION TRUST FUND  
FOR NORTHERN CALIFORNIA; and  
BOARD OF TRUSTEES OF THE  
LABORERS TRAINING AND RETRAINING  
TRUST FUND FOR NORTHERN  
CALIFORNIA,

Plaintiffs,

v.

CITY CEMENT, INC., a California  
corporation,

Defendant.

Case No.: CV 10-2449 MEJ

**CASE MANAGEMENT CONFERENCE  
STATEMENT; ORDER THEREON**

**Date: September 9, 2010**  
**Time: 10:00 a.m.**  
**Ctroom: B, 15<sup>th</sup> Floor**

Plaintiffs hereby provide the Court with the following Case Management Conference Statement.

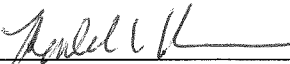
On June 3, 2010 Plaintiffs filed their Complaint for Damages for Breach of Collective Bargaining Agreement, To Recover Unpaid Trust Fund Contributions, For Breach of Fiduciary Duty and For A Mandatory Injunction ("Complaint"). Defendant Jose Francisco Vieira has been voluntarily dismissed. Further, Plaintiffs' Third Cause of Action for Breach of Fiduciary Duty has also been voluntarily dismissed.

1 Defendant City Cement, Inc. was served on July 8, 2010. City Cement, Inc. did not file  
2 a responsive pleading. On August 27, 2010 Plaintiffs filed their Request For Clerk's Entry of  
3 Default. Plaintiffs intend to proceed in this matter via default.

4 Based on the above, Plaintiffs respectfully request that this Court continue the Case  
5 Management Conference for 60 days, allowing Plaintiff time to prepare and file a motion for  
6 default judgment.

7 DATED: September 1, 2010

8 BULLIVANT HOUSER BAILEY PC

9  
10 By   
11 Ronald L. Richman  
Susan J. Olson

12 Attorneys for Plaintiffs

13  
14 **ORDER**

15 Pursuant to Plaintiffs' request and good cause appearing:

16 IT IS HEREBY ORDERED that the Case Management Conference be continued to  
17 November 18, 2010, Courtroom B, 15<sup>th</sup> Floor at 10:00 a.m.

18 DATED: September 2, 2010

19  
20 By   
21 HON. MARIA-ELEN JAMES  
22 UNITED STATES MAGISTRATE JUDGE

23  
24  
25 12791230.1